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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CHRISTINA LEE LAUDERDALE aka
CHRISTINE LEE LAUDERDALE-
BEEMAN

Plaintiff,

v.

BAY AREA CREDIT SERVICE, LLC,

Defendant.

Case No.

08-3102-CL

COMPLAINT FOR VIOLATIONS OF
FAIR DEBT COLLECTION
PRACTICES ACT

JURY REQUESTED

JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. § 1692k(d), and pursuant to 28 U.S.C. § 1367 for pendent state law claims.
2. This action arises out of Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA"), as well as other state law tort claims.
3. Venue is proper in this District because the acts and transactions occurred here, Plaintiff resides here, and Defendant transacts business here.

PARTIES

4. Plaintiff Christina Lauderdale aka Christina Lauderdale-Beeman (hereinafter “Plaintiff”) is a natural person who resides in the City of Cave Junction, State of Oregon, and is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).

5. Defendant Bay Area Credit Service, LLC. (hereinafter “Defendant”) operating from an address of 1901 W. Tenth Street Antioch, California 94509 is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

6. Plaintiff received services from American Medical Response for an automobile accident which occurred in 2004.

7. Plaintiff’s services from American Medical Response were paid in full through State Farm Insurance Companies on or about May 17, 2004. See Exhibit A.

8. In 2008 Plaintiff began receiving phone calls from Defendant at work and on her personal cell phone for the services she received from American Medical Response.

9. Plaintiff informed Defendant the bill had been paid by State Farm Insurance Companies and to stop contacting her.

10. Defendant continued to contact Plaintiff regarding the account.

11. On or about June 17, 2008 Plaintiff wrote to Defendant and American Medical Response and provided to them a copy of the paid account. Plaintiff also requested that Defendant stop calling her. See Exhibit B.

12. Despite Plaintiff’s efforts Defendant continues to try to collect from Plaintiff.

TRIAL BY JURY

13. Plaintiff is entitled to and hereby respectfully demands a trial by jury. US Const. amend. 7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

14. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

15. The foregoing acts and omissions of defendant constitute numerous and multiple violations of the FDCPA including, but not limited to, 15 U.S.C. § 1692d, 1692d(2), 1692d(5), 1692e, 1692e(10), and 1692f.

16. As a result of defendant's violations of the FDCPA, plaintiff is entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against defendants for:

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

for an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against each and every

defendant;

for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. §1692k(a)(2)(A)
against each and every defendant;

for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. §
1692k(a)(3) against each and every defendant;

DATED: September 23, 2008



/s/ Keith D. Karnes

OSB # 03352

503-362-9393

Attorney for Defendant Christina Lauderdale



STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

PACIFIC NORTHWEST OFFICE
SALEM, OR
OREGON PIP-ECF 15-916 L045U.S. BANK 75-1592/912
EAST GRAND FORKS, MN

1 152077822 J

57752004

NON-NEGOTIABLE

*****EXACTLY ONE THOUSAND SIX HUNDRED EIGHTY-ONE AND 94/100 DOLLARS \$*****1,681.94

Pay to the

Order of:

AMERICAN MEDICAL RESPONSE NORTHWEST
PO BOX 2748
PORTLAND OR 97208-2748*Sara Antillon*

AUTHORIZED SIGNATURE

SECURED DOCUMENT WATERMARK APPEARS ON BACK. HOLD AT 45° ANGLE FOR VIEWING.

⑈1517077822⑈ ⑆091215927⑆ 152100011229⑈

⑈0000168194⑈

EXHIBIT

A

PAGE

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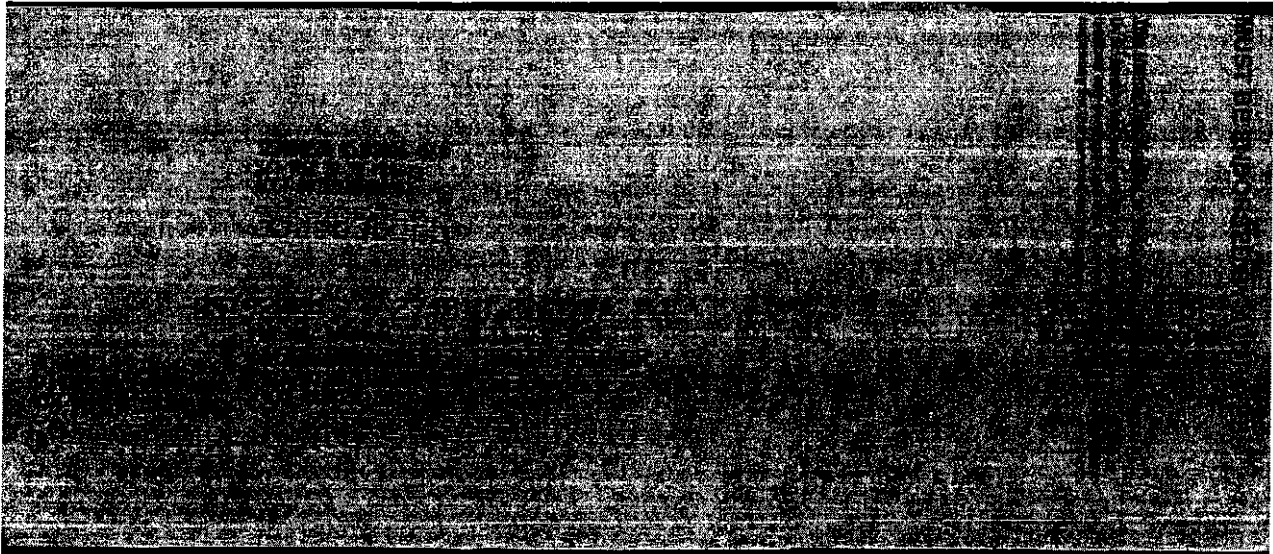


EXHIBIT A
PAGE 2 OF 3

Created Payment - LAUDERDALE, CHRIST
 S3539F85
 Clm: 37-3608-533 Ins: GERINGER-MAY, RHON Pol: 0056-476-37A DOL: 04-10-04
 Payment no: 115077822J Total: 910.00 Issued: 05-17-04
 Payment status: PAID 05-24-04 Chgd by: BMAP:
 Authorized by: O'berry, Amanda Consol pymt: Y
 Entered by: O'berry, Amanda Repl no: EFT pymt: N
 Billing ref: Bill amt: Begin bill: - -
 Adj code: End bill: - -
 Remarks: DOS 4/10 Acct# 000744813

Payee: AMERICAN MEDICAL RESPONSE NORTHWEST
 PO BOX 2748
 PORTLAND OR 97208-2748

St & TIN: 37-930567420

COL 1 to 1 of 1

COL	Amount	Pay Cd	Reporting Party	Rsn Cd
051 PIP	910.00	2	LAUDERDALE, CHRISTINA	

EXHIBIT A

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June 17, 2008

Bay Area Credit Service, LLC
97 E. Brokaw Ste. 240
San Jose, CA 95112
408-392-4400
Fax: 408-392-4520

RE: America Medical Response #000744813 Paid 05-24-04

To Whom It May Concern:

I've attached a copy of my paid American Medical Response Bill your company has harassed me about for over a year. **Lose my number! Don't ever call me on my cell or at work again.** If you have further questions contact AMR directly as they have been paid.

Christy Lauderdale
P.O. Box 753
Cave Junction, OR 97523

EXHIBIT B
EXHIBIT B
PAGE 1 OF 2

Created Payment - LAUDERDALE, CHRIST
 Clm: 37-3608-533 Ins: GERINGER-MAY, RHON Pol: 0056-476-37A S3539F85
 DOL: 04-10-04
 Payment no: 115077822J Total: 910.00 Issued: 05-17-04
 Payment status: PAID 05-24-04 Chgd by: BMAP:
 Authorized by: O'berry, Amanda Consol pymt: Y
 Entered by: O'berry, Amanda Repl no: EFT pymt: N
 Billing ref: Bill amt: Begin bill: - -
 Adj code: End bill: - -
 Remarks: DOS 4/10 Acct# 000744813

Payee: AMERICAN MEDICAL RESPONSE NORTHWEST
 PO BOX 2748
 PORTLAND OR 97208-2748

St & TIN: 37-930567420

COL 1 to 1 of 1

COL	Amount	Pay Cd	Reporting Party	Rsn Cd
051 PIP	910.00	2	LAUDERDALE, CHRISTINA	

ATTN CHARITY

HOPE THIS HELPS

MIKE STRASSER

503-463-3744

CHARITY LANGRISH
~~SU 956-8362~~
 541-476-6718